

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)	CASE NO. 1:05-CR-10175-WGY
)	
Plaintiff,)	
)	
v.)	
)	
NADINE J. GRIFFIN,)	
)	
Defendant.)	
_____)	

**MEMORANDUM IN SUPPORT OF
MOTION FOR RELEASE PENDING APPEAL**

Comes now Defendant Nadine J. Griffin, by and through her applicant for pro hac vice admission attorney Jeffrey A. Dickstein, who submits the following memorandum in support of her motion for release pending appeal:

Release or Detention Pending Appeal by the Defendant

(b) Release or detention pending appeal by the defendant.--

(1) Except as provided in paragraph (2), the judicial officer shall order that a person who has been found guilty of an offense and sentenced to a term of imprisonment, and who has filed an appeal or a petition for a writ of certiorari, be detained, unless the judicial officer finds--

(A) by clear and convincing evidence that the person is not likely to flee or pose a danger to the safety of any other person or the community if released under section 3142(b) or (c) of this title; and

(B) that the appeal is not for the purpose of delay and raises a substantial question of law or fact likely to result in--


(iv) a reduced sentence to a term of imprisonment less than the total of

the time already served plus the expected duration of the appeal process.

If the judicial officer makes such findings, such judicial officer shall order the release of the person in accordance with section 3142(b) or (c) of this title, except that in the circumstance described in subparagraph (B)(iv) of this paragraph, the judicial officer shall order the detention terminated at the expiration of the likely reduced sentence.

18 U.S.C.A. § 3143(b)(1).

Dated: August 4, 2008.

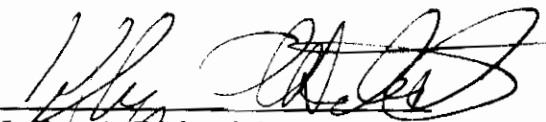


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CERTIFICATE OF SERVICE

I hereby certify that on August 4, 2008, I sent a copy of the foregoing document to the attorney of record for the United States by e-mail to Christopher.J.Maietta@usdoj.gov and by first class mail to:

Christopher Maietta
U.S. Dept. Of Justice, Tax Division
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Jeffrey A. Dickstein
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